

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM R. KRULL, individually and on  
behalf of all others similarly situated, and  
derivatively on behalf of SPECTRUM  
CONTROL, INC.

Plaintiff,

v.

RICHARD SOUTHWORTH, GERALD RYAN,  
JOHN FREEMAN, JAMES TOOHEY, J.  
THOMAS GRUENWALD, GEORGE  
BEHRINGER, CHARLES MAHAN,  
SPECTRUM CONTROL INC., API  
TECHNOLOGIES CORP., and ERIE MERGER  
CORP.,

Defendants.

**Civil Action No. 1: 11-cv-00105 (SJM)**

**MOTION FOR ADMISSION OF COUNSEL *PRO HAC VICE***

Robert L. Byer, a member of the bar of this Court, moves for the admission of David J. Berger *pro hac vice* in the above-captioned action for the following reasons:

1. Defendants API Technologies Corporation and Erie Merger Corporation have retained Mr. Berger together with movant, to represent them in this action.
2. Movant is a partner in the law firm of Duane Morris LLP, and will act as co-counsel to Mr. Berger in the above-captioned action.
3. Mr. Berger is a partner in the law firm of Wilson Sonsini Goodrich & Rosati, Professional Corporation, in Palo Alto, California. Mr. Berger is admitted to practice in the States of California and New York, as well as the following federal courts: the United States District Court for the Northern District of California, the United States District Court for the Southern District of California, the United States District Court for the Central District of California, the United States District Court for the Eastern District of California, the United States District Court for the Southern District of New York, the United States Court of Appeals

for the Second Circuit, the United States Court of Appeals for the Third Circuit, and the United States Court of Appeals for the Ninth Circuit.

4. Mr. Berger certifies that he is a registered user of the Electronic Case Filing System in the United States District Court for the Western District of Pennsylvania, and that he has read and understands the Local Rules of Court for the Western District of Pennsylvania.

For the above reasons, movant requests that Mr. Berger be admitted *pro hac vice*.

Respectfully submitted,

May 17, 2011

/s/ Robert L. Byer  
Robert L. Byer  
Pa. I.D. No. 25447  
Joseph T. Moran  
Pa. I.D. No. 47533  
Gerald J. Schirato  
Pa. I.D. No. 200459  
Duane Morris LLP  
600 Grant Street, Suite 5010  
Pittsburgh, PA 15219  
(412) 497-1083

*Counsel for Defendants API Technologies  
Corporation and Erie Merger Corporation*

OF COUNSEL:

David J. Berger  
Rodney G. Strickland  
Luke A. Liss  
WILSON SONSINI GOODRICH &  
ROSATI, Professional Corporation  
650 Page Mill Rd.  
Palo Alto, CA 94304  
(650) 493-9300